



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Garry Bredefeld, Acting Council President
Chris Mathys,
Henry Perea

Sal Quintero
Daniel Ronquillo
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JULY 25, 2000

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of July 18, 2000

Action Taken:

- A. Approve consultant contracts for preparation of an Environmental Impact Report (EIR) and Associated Traffic Evaluation (TE) for the Gunner & Andros 9.72 acre mixed-use commercial development (subarea 1 of Ventura/Freeway 41 study area) and other related mixed-use commercial developments in and adjacent to the Convention Center site

Action Taken:

- B. Discussion of final draft of Uptown Masterplan Update and Design Guidelines

Action Taken:

- C. Consider approving the amendment to the agreement substantially in the form attached with Boyle Engineering for utility improvements relative to the Federal Economic Development Administration Grant for Roeding Industrial Business Park

Action Taken:

ADJOURN AGENCY

9:00 A.M. COUNCIL ROLL CALL

Invocation by Father Arish Aivzaian of Saint Paul Armenian Church

Pledge of Allegiance to the Flag

Proclamation of “NATIONAL NIGHT OUT DAY”

Presentation of Resolutions of Commendation to Fresno Force 12 -Under Girls Softball Team

Proclamation of “GAY, LESBIAN, BISEXUAL AND TRANSGENDER PRIDE PARADE AND FESTIVAL DAY”

Proclamation of “SOCIAL SECURITY 65TH ANNIVERSARY MONTH”

Presentation of P.R.I.D.E. Team Certificates for the Summer Quarter

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of July 18, 2000

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M. HEARING to approve assessments for costs incurred by the City for weed discing, trash and debris removal and code enforcement actions for Fiscal Years 1997, 1998, 1999 and 2000

Action Taken:

a. RESOLUTION - Establishing assessments to recover City costs

Action Taken:

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:15 A.M. HEARING to consider Plan Amendment Application No. A-99-36 and Rezoning Application No. R-99-51 and related Environmental Assessment No. A-99-36, R-99-51, C-99-220, filed by George Adams, for a 0.66 acre parcel on the east side of N. Ingram Avenue between the W. Herndon Avenue frontage road and W. Beechwood Avenue (**Site A**), and for a 0.20 acre parcel on the northeast corner of N. Ingram Avenue and W. Beechwood Avenue (**Site B**)

Action Taken:

- a. Consider Environmental Assessment/Mitigated Negative Declaration No. A-99-36, R-99-51, C-99-220

Action Taken:

- b. **RESOLUTION** - Amending the Bullard Community Plan

Action Taken:

- c. **BILL** - Amending the Official Zone Map to rezone property from the R-1/EA zone district to the C-6/EA/cz zone district

Action Taken:

10:30 A.M. HEARING to consider Rezoning Application No. R-00-07 and environmental findings, filed by Dirk Poeschel for Serop Vartanian, for a portion of a 0.37 acre parcel located at 712 N. Abby Street

Action Taken:

- a. Consider Environmental Assessment/Negative Declaration No. R-00-07

Action Taken:

- b. **BILL** - Amending the Official Zone Map to rezone the subject property from P zone district to C-6 zone district

Action Taken:

10:45 A.M. CONTINUED HEARING to consider Text Amendment No. TA-00-03, adding banquet and/or conference facilities to the M-1-P zone district (*Continue to August 15, 2000 @ 11:15 a.m.*)

Action Taken:

11:00 A.M. FY 2000-2001 Budget:

- A. * **RESOLUTION** - 11th amendment to AAR No. 2000-183 appropriating \$250,000 in Airport Department Operating Fund from the contingency line item to pay for air service development, marketing, public relations and the retainer of a Washington D.C. aviation and airports lobbyist to assist with regulatory and governmental relations (a sum not to exceed \$30,000) all to promote Fresno Yosemite International Airport (*Requires 5 affirmative votes*)

Action Taken:

- 1. Approve the agreement to retain the services of Washington Aviation Lobbyist, Shaw Pittman, utilizing Airport Enterprise Funds in an amount not to exceed \$30,000

Action Taken:

- B. * **RESOLUTION** - 9th amendment to AAR No. 2000-183 appropriating \$50,000 for Convention Center Visitor's Bureau special events (*Requires 5 affirmative votes*)

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

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| TIME SCHEDULED HEARINGS AND MATTERS CONTINUED |
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11:00 A.M. FY 2000-2001 Budget continued:

- C. * **RESOLUTION** - 6th amendment to AAR No. 2000-183 appropriating \$41,700 for re-establishment of the permanent auditor position for ten (10) months deleted in the FY 2001 budget *(Requires 5 affirmative votes)*

Action Taken:

1. * **RESOLUTION** - 1st amendment to the PAR No. 2000-184 to re-establish one (1) Internal Auditor position

Action Taken:

- D. * **RESOLUTION** - 5th amendment to AAR No. 2000-183 appropriating \$26,200 to add an Accounting Technician position to the Retirement Administration Division for the administration of the Deferred Compensation Program *(Requires 5 affirmative votes)*

Action Taken:

1. * **RESOLUTION** - 2nd amendment to PAR for a position in the Retirement Division to administer the City's Deferred Compensation Program

Action Taken:

- E. * **RESOLUTION** - 13th amendment to AAR No. 2000-183 increasing the Police Department budget to fund the addition of four (4) positions to the Police Department *(Requires 5 affirmative votes)*

Action Taken:

1. * **RESOLUTION** - 3rd amendment to PAR No. 2000-184 adding four (4) positions to the Police Department budget

Action Taken:

11:15 A.M. Approve revised agreement between the City of Fresno and County of Fresno relating to funding for Red Light Camera Enforcement Project; Direct City Manager to execute same - Acting President Bredefeld

Action Taken:

- a. * Award a contract for the Red Light Running Program

Action Taken:

2:00 P.M.#1

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| DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY) |
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2:00 P.M. #2

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| CLOSED SESSION |
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- A. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6
City Negotiator(s): Jeffrey M. Reid, Jorge Aguiniga, Andrew T. Souza
Employee Organization(s): Amalgamated Transit Union, Local 1027 (ATU) Impasse; IAFF Non-Management Unit 5 and Management Unit 10 Firefighters Impasse
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. Claim of Valerie Medina
2. City of Fresno v. Lombardi, et al

Action Taken:

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Jones, Benjamin; Morris, Angil v. City of Fresno
2. **Case Name:** Joshua Cruz v. City of Fresno

Action Taken:

1A. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Approve a \$468,640 California Law Enforcement Technology Equipment Purchase Program Grant from the Office of Criminal Justice Planning to acquire information technology equipment
Action Taken:
2. Award a contract for Shaw/Marks grade separations at the Burlington Northern & Santa Fe (BNSF) railways
Action Taken:
3. * **RESOLUTION - 4th amendment to PAR No. 2000-184 to authorize ten (10) waste collector leadworker positions effective August 1, 2000 (*Requires 5 affirmative votes*)**
Action Taken:
4. Approve Utility Agreement with Caltrans to design the relocation of street lighting facilities from Route 180 between Chestnut Avenue and Clovis Avenue
Action Taken:
 - a. * **RESOLUTION - 15th amendment to AAR No. 2000-183 appropriating \$13,000 for project design costs (*Requires 5 affirmative votes*)**
Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

5. Approve Utility Agreement with Caltrans to design the relocation of water and sewer facilities from Route 180 between Chestnut Avenue and Clovis Avenue
Action Taken:
a. * **RESOLUTION** - 16th amendment to AAR No. 2000-183 appropriating \$128,200 for project design costs (*Requires 5 affirmative votes*)
Action Taken:
6. * **RESOLUTION** - 20th amendment to AAR No. 2000-183 appropriating \$28,000 for the Fresno City Police Memorial to be funded equally by each district's general fund infrastructure (*Requires 5 affirmative votes*)
Action Taken:
7. * **RESOLUTION** - 17th amendment to AAR No. 2000-183 appropriating \$3,165,000 for the closing of the Airport 2000 Revenue Bonds, as previously appropriated in FY 2000 (*Requires 5 affirmative votes*)
Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. * **BILL** - Consider Text Amendment No. TA-00-03 to the text of the Fresno Municipal Code and related environmental findings, proposing to add "banquet and/or conference facilities" as a use subject to a conditional use permit in the M-1-P Zone District (Section 12-225.3-B) (*Hearing scheduled for August 15, 2000 @ 11:15 a.m.*)
Action Taken:
2. * **BILL** - Amending Section 3-109.2 of the Fresno Municipal Code relating to construction project management services
Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Approve an agreement with Fresno City and County Convention & Visitors Bureau and authorize the City Manager to execute the approved agreement for the City
Action Taken:
- B. Request Council direction regarding provision of operations and maintenance for Wildwood Park
Action Taken:
1. * **RESOLUTION** - 19th amendment to AAR No. 2000-183 appropriating \$15,000 to cover operational and maintenance costs for Wildwood Park (*Requires 5 affirmative votes*)
Action Taken:
- C. Appearance by Bart Bohn, Caltrans District 6 Manager regarding Caltrans fee policy
Action Taken:

4. **CITY ATTORNEY**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5.

CITY COUNCIL

- A. Approved appointment of Dan Zack to the Tower District Specific Plan Implementation Committee (*For adoption*) - Councilmember Ronquillo
Action Taken:
- B. Consider approval for a Council override vote of Resolution No. 2000-203 vetoed by Mayor Patterson on July 10, 2000 (*Council action to override Mayoral veto requires 5 affirmative votes*) - Councilmember Ronquillo
Action Taken:
1. **RESOLUTION NO. 2000-203** - Submitting a proposed Charter amendment to City electors that the Chief Administrative Officer shall be appointed by the Mayor with the approval of the City Council
Action Taken:
- C. Per Grand Jury recommendation, provide a marked crosswalk on Tulare Street, between “M” Street and Van Ness Avenue to provide safe and legal passage across Tulare Street - Council President Boyajian
Action Taken:
- D. Direct City Attorney to research and provide necessary documents needed to adopt an ordinance not allowing appointed officers and staff, after leaving the City, to become employed with any firm/projects that they had input in for a period of two (2) years - Councilmember Ronquillo
Action Taken:
- E. **RESOLUTION** - Supporting adoption of Senate Bill 1629 (ensuring that bicyclist and pedestrian needs are considered in all major highway projects in the State of California) - Councilmember Perea
Action Taken:
- F. * **RESOLUTION** - 18th amendment to AAR No. 2000-183 appropriating \$6,500 of District 5's general fund infrastructure budget which includes \$2,500 for the Harvest Celebration 2000 Event and \$4,000 for the Calwa Community Outreach - Councilmember Quintero (*Requires 5 affirmative votes*)
Action Taken:
- G. * **RESOLUTION** - 21st amendment to AAR No. 2000-183 appropriating \$1,000 of District 7's general fund infrastructure budget to reimburse the Guild of Valley Children's Hospital for Convention Center rental for fund raiser - Councilmember Perea (*Requires 5 affirmative votes*)
Action Taken:
- H. Direct the City Attorney's Office to prepare an amendment to Section 13-412 (h)(1) of the Historic Preservation Ordinance to clarify that the Secretary of Interior's Standards referenced in the Section are recommendations only - Councilmember Steitz
Action Taken:
- I. * **RESOLUTION** - 22nd amendment to AAR No. 2000-183 appropriating \$2,000 of District 4's general fund infrastructure budget to fund a camp scholarship for the Youth for Christ - Councilmember Steitz (*Requires 5 affirmative votes*)
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL ITEMS CONTINUED**

- J.** Request staff to return with enabling documents appropriating \$28,000 for the Fresno City Police Memorial to be funded from the City Manager's or Mayor's budget - Council Budget Committee
Action Taken:
- K.** Request staff to return with enabling documents appropriating \$1,000 from District 2's general fund infrastructure budget to purchase a generator to provide temporary power to a neighborhood policing office - Councilmember Mathys
Action Taken:
- L.** Request City Manager direct Public Works Department to provide the City Council with the start and completion date for the north side of Herndon Avenue between N. Fruit and N. Marks, along with the completion date of moving the Coventry Court wall - Councilmember Mathys
Action Taken:
- M.** Request staff to return with enabling documents appropriating \$700 from District 2's general fund infrastructure budget to purchase planters for the Downtown Association - Councilmember Mathys
Action Taken:
- N.** Approve formation of a Social Service Funding Committee - Council President Boyajian
Action Taken:
- O.** Request staff to return with enabling documents to move Project Nos. PW 99086 and PW 99089 for street improvements on Fresno and "P" Streets to support a Regional Medical Center Project - Council Budget Committee
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

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|-------|------|------------|---|
| Aug. | 1 - | NO MEETING | COUNCIL VACATION |
| Aug. | 8 - | NO MEETING | COUNCIL VACATION |
| Aug. | 15 - | 10:00 A.M. | HEARING re: Community Facilities District No. 2, Annexation No. 22 |
| Aug. | 15 - | 10:15 A.M. | TEFRA HEARING re: the Community Hospitals of Central California Project |
| Aug. | 15 - | 10:30 A.M. | Rezone Appl. No. R-00-18, filed by Trend Homes, property located on the northeast corner of Polk and Bullard |
| Aug. | 15 - | 10:45 A.M. | HEARING re: Rezone Appl. No. 99-47, filed by Westlands Hotels and an amendment to the Official Plan Line #90-04 |
| Aug. | 15 - | 11:00 A.M. | WORKSHOP on demolition of vacant commercial buildings - Council President Boyajian |
| Aug. | 15 - | 11:15 A.M. | CONTINUED HEARING to consider Text Amendment No. TA-00-03, adding banquet and/or conference facilities to the M-1-P zone district |
| Aug. | 22 - | 9:30 A.M. | HEARING re: TA-00-04 to remove restriction of offices on the ground floor only in the R-P district |
| Aug. | 22 - | 10:00 A.M. | HEARING re: Community Facilities District No. 2, Annexation No. 23 |
| Aug. | 29 - | 9:30 A.M. | HEARING re: P.A. No. A-00-04, Rezone Appl. No. R-00-06, filed by Burgess Smith Development |
| Aug. | 29 - | 5:00 P.M. | HEARING re: P.A. No. 00-03, Rezone Appl. No. 00-04, filed by Beal Properties, Inc. |
| Sept. | 5 - | NO MEETING | COUNCIL VACATION |
| Sept. | 12 - | NO MEETING | COUNCIL VACATION |

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***